

**REMARKS**

In response to the Office Action mailed July 13, 2004, the Applicant respectfully requests that the Examiner enter the above amendments and consider the following remarks. Claims 1 and 14 have been amended to more clearly describe an embodiment of the invention, and claims 12 and 13 have been canceled. As a result, claims 1, 3-11, and 14-21 are still pending in the application. The Applicant respectfully requests further examination and reconsideration of the application in light of the amendments and remarks.

**Rejection of Claims 1, 3, and 6-13 Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1, 3, and 6-13 under 35 U.S.C. § 103(a) as being unpatentable over Stucky et al. in view of Deaner et al. The Applicant respectfully traverses the rejection.

The Applicant appreciates the Examiner's recognition that Stucky et al. teaches a foamed composite that includes 25-65 wt. % fiber. Table I of Stucky et al. shows that the fiber has a material effect on the foamed composite. Deaner et al. is also directed to a composite that is comprised of a significant amount of wood fiber. Furthermore, the Applicant respectfully maintains that the combination of Stucky et al. and Deaner et al. fails to teach or suggest a component comprised of the two different material layers as claimed (i.e., a synthetic wood layer and a foamed polymer layer that is substantially free of cellulosic filler and inorganic filler). The Applicant has amended claim 1 to more clearly describe that the foam layer is substantially free of cellulosic filler and inorganic

App. No. 09/758,001  
Amendment mailed September 13, 2004  
Re: Office Action mailed July 13, 2004

filler. Therefore, the Applicant respectfully submits that Stucky et al. in view of Deaner et al. cannot support the rejection of claims 1, 3, and 6-13 under 35 U.S.C. § 103(a).

Rejection of Claims 4 and 5 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 4 and 5 under 35 U.S.C. § 103(a) as being unpatentable over Stucky et al. in view of Deaner et al., as evidenced by Zehner et al. The Applicant respectfully traverses the rejection.

The Applicant has distinguished independent claim 1 over the cited references. Claims 4 and 5 depend from claim 1. Therefore, the Applicant respectfully submits that Stucky et al. in view of Deaner et al., as evidenced by Zehner et al., cannot support the rejection of claims 4 and 5 under 35 U.S.C. § 103(a).

Rejection of Claims 14, 15, and 18-20 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 14, 15, and 18-20 under 35 U.S.C. § 103(a) as being unpatentable over Woodhams. The Applicant respectfully traverses the rejection.

The Applicant respectfully maintains that Woodhams fails to teach or suggest a component that has two different layers that are secured together. As set forth in the passage cited by the Examiner, the component taught by Woodhams is made from the same composite compound. There is no motivation provided by Woodhams to secure two different layers of material together to form a component as set forth in the present claims. The Applicant appreciates the Examiner's recognition that the composite taught by Woodhams is comprised of fiber. In order to more clearly describe an exemplary embodiment of the present invention, the Applicant has amended claim 14 to more

App. No. 09/758,001  
Amendment mailed September 13, 2004  
Re: Office Action mailed July 13, 2004

clearly describe that the foam layer is substantially free of cellulosic filler and inorganic filler. Therefore, the Applicant respectfully submits that Woodhams cannot support the rejection of claims 14, 15, and 18-20 under 35 U.S.C. § 103(a).

Rejection of Claims 16 and 17 Under 35 U.S.C. § 103(a)

The Examiner rejected claims 16 and 17 under 35 U.S.C. § 103(a) as being unpatentable over Woodhams as evidenced by Zehner et al. The Applicant respectfully traverses the rejection.

The Applicant has distinguished independent claim 14 over Woodhams. Claims 16 and 17 depend from claim 14. Zehner et al. does not provide the motivation that is lacking in Woodhams. Therefore, the Applicant respectfully submits that Woodhams as evidenced by Zehner et al. cannot support the rejection of claims 16 and 17 under 35 U.S.C. § 103(a).

Rejection of Claim 21 Under 35 U.S.C. § 103(a)

The Examiner rejected claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Woodhams in view of Godavarti et al. The Applicant respectfully traverses the rejection.

The Applicant has distinguished independent claim 14 over Woodhams. Claim 21 depends from claim 14. Godavarti et al. also fails to provide any motivation for a component comprised of two different material layers that are secured together as set forth in the present claims. Therefore, the Applicant respectfully submits that

App. No. 09/758,001  
Amendment mailed September 13, 2004  
Re: Office Action mailed July 13, 2004

Woodhams in view of Godavarti et al. cannot support the rejection of claim 21 under 35 U.S.C. § 103(a).

Double Patenting Rejection of Claims 14, 15, and 18-20

The Examiner rejected claims 14, 15, and 18-20 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 4 and 5 of U.S. Patent No. 6,579,605 in view of Woodhams. The Applicant respectfully traverses the rejection. Claims 4 and 5 of U.S. Patent No. 6,579,605 are directed to components comprised of two different synthetic wood compositions. Therefore, in light of the aforementioned amendments, the Applicant respectfully submits that the double patenting rejection has been obviated.

App. No. 09/758,001  
Amendment mailed September 13, 2004  
Re: Office Action mailed July 13, 2004

Conclusion

The Applicant has distinguished claims 1, 3-11, and 14-21 over the cited references. Therefore, the Applicant respectfully submits that the present application is now in condition for allowance, and such action is earnestly requested.

Respectfully submitted,

Date: 9/13/04

Jeffrey C. Norris

Jeffrey C. Norris  
Registration No. 42,039  
Standley Law Group LLP  
495 Metro Place South  
Suite 210  
Dublin, Ohio 43017-5319  
Telephone: (614) 792-5555  
Fax: (614) 792-5536  
E-mail: jnorris@standleyllp.com